

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA

CHARLESTON DIVISION

STEVE MCCOY,

Plaintiff,

v.

Civil Action No. 2:14-cv-09425

ETHICON, INC., et al.,

Defendants.

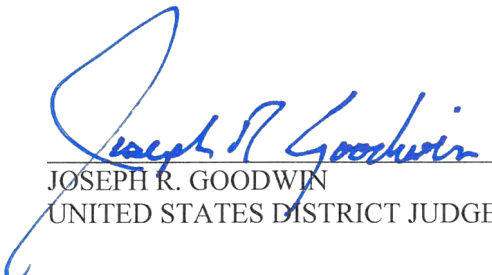
MEMORANADUM OPINION AND ORDER

On December 2, 2020, I entered an order directing plaintiff Steve McCoy to show cause on or before January 2, 2021, why this case should not be dismissed as to Ethicon, Inc., Ethicon, LLC and Johnson & Johnson for failure to prosecute pursuant to Rule 41(b) of the Federal Rules of Civil Procedure and Rule 41.1 of the Local Rules of Civil Procedure.

Plaintiff has not responded to the Shown Cause Order. The court **ORDERS**, pursuant to Rule 41(b) of the Federal Rules of Civil Procedure and Rule 41.1 of the Local Rules of Civil Procedure and after weighing the factors identified in *Ballard v. Carlson*, 882 F.2d 93, 95 (4th Cir. 1989), that Ethicon, Inc., Ethicon, LLC and Johnson & Johnson are dismissed without prejudice. No defendants remain, and the court **DIRECTS** the Clerk to dismiss the case and strike it from the active docket.

The court **DIRECTS** the Clerk to send a copy of this Order to counsel of record and any unrepresented party.

ENTER: January 11, 2021



JOSEPH R. GOODWIN
UNITED STATES DISTRICT JUDGE